

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
The Authors Guild, Inc., Association of American :
Publishers, Inc., Associational Plaintiffs, and :

Herbert Mitgang, Betty Miles, Daniel Hoffman, :
Paul Dickson, Joseph Goulden, The McGraw-Hill :
Companies, Inc., Pearson Education, Inc., Penguin :
Group (USA) Inc., Simon & Schuster, Inc., and :
John Wiley & Sons, Inc., individually and on :
behalf of all others similarly situated, :

Plaintiffs, :

v. :

Google Inc., :

Defendant. :

Case No. 05 CV 8136 (DC)

**NOTICE OF APPEARANCE
AND INTENT TO APPEAR
AT THE OCTOBER 7, 2009
FAIRNESS HEARING**

-----X
NOTICE OF APPEARANCE AND INTENT TO APPEAR

Please enter my appearance as counsel of record for Author and Publisher Sub-Class member Microsoft Corporation ("Microsoft").

Please take notice that Microsoft intends to appear at the Fairness Hearing in the above-captioned action, currently scheduled for October 7, 2009, to object to the Proposed Settlement.

Microsoft will appear through its attorneys Thomas C. Rubin, Charles B. Casper and R. Montgomery Donaldson. Applications to appear *pro hac vice* will be filed for Mr. Casper and Mr. Donaldson. I certify that I am admitted to practice in this Court.

Respectfully submitted,

Date: September 3, 2009

MICROSOFT CORPORATION

By: /s/ Thomas C. Rubin
Thomas C. Rubin (TR8845)
Chief Counsel for Intellectual Property Strategy
Law and Corporate Affairs
One Microsoft Way
Redmond, WA 98052
(425) 882-8080
tom.rubin@microsoft.com

**MONTGOMERY, McCRACKEN,
WALKER & RHOADS, LLP**

Charles B. Casper
(Application *pro hac vice* to be submitted)
123 South Broad Street
Philadelphia, PA 19109
(215) 772-1500
ccasper@mmwr.com

R. Montgomery Donaldson
(Application *pro hac vice* to be submitted)
1105 N. Market Street
Suite 1500
Wilmington, DE 19801
(302) 504-7800
rdonaldson@mmwr.com

Counsel for Microsoft Corporation

CERTIFICATE OF SERVICE

I, Thomas C. Rubin, hereby certify that on this 3rd day of September 2009, I caused to be served by electronic notification through the CM/ECF system a copy of the foregoing Notice of Appearance and Intent to Appear at the October 7, 2009 Fairness Hearing on the following individuals:

Michael J. Boni, Esquire
Joanne Zack, Esquire
Joshua Snyder, Esquire
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004
bookclaims@bonizack.com

Counsel for the Author Sub-Class

Jeffrey P. Cunard, Esquire
Bruce P. Keller, Esquire
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022
bookclaims@debevoise.com

Counsel for the Publisher Sub-Class

Daralyn J. Durie, Esquire
Joseph C. Gratz, Esquire
Durie Tangri LLP
332 Pine Street, Suite 200
San Francisco, CA 94104
bookclaims@durietangri.com

Counsel for Google Inc.

/s/ Thomas C. Rubin